

Notice of Allowability

Application No.

10/056,940

Examiner

Jill M. Gray

Applicant(s)

SCHISSEL ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment of August 6, 2004.
2. ☒ The allowed claim(s) is/are 1-18, 20-42 and 54-62, renumbered as 1-53.
3. ☒ The drawings filed on 25 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 10/12/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Election/Restrictions

Claims 1-42 and 75-78 are directed to an allowable product. Pursuant to the procedures set forth in the Official Gazette notice dated March 26, 1996 (1184 O.G. 86), claims 54-62, directed to the process of making or using the patentable product, previously withdrawn from consideration as a result of a restriction requirement, are now subject to being rejoined. Process claims 54-62 are hereby rejoined and fully examined for patentability under 37 CFR 1.104. Claims 43-53 and 63-74, not directed to the process of making or using the patentable product, will not be rejoined.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Carlson on October 12, 2004.

The application has been amended as follows:

In the claims:

Please cancel non-elected claims 43-53 and 63-74.

33. (currently amended) A coated optical fiber comprising:

an optical fiber,

a radiation cured primary coating comprising an oligomer,
wherein the oligomer is formed from a reaction comprising a polyol having
"m" hydroxyl functional groups, wherein "n" hydroxyl groups of said polyol
are terminated in forming the oligomer and "m" is greater than "n" and

a radiation cured secondary coating

wherein the coated optical fiber has a micro-bend attenuation as
measured by the LLWM test of less than about 0.3 dB/m at a wavelength
of 1310 nm, of less than about 0.35 dB/m at a wavelength of 1550 nm,
and of less than about 0.55 dB/m at a wavelength of 1625 nm.

Claim 34, line 5, change "photoinitiator;" to – photoinitiator. --;

delete lines 6-8.

Claim 54. (currently amended) A method of coating an optical fiber comprising the steps
of:

(a) drawing an optical fiber comprising a core and a cladding;

(b) coating the optical fiber with a radiation curable coating comprising an
oligomer, wherein the oligomer is formed from a reaction comprising a polyol
having "m" hydroxyl functional groups, wherein "n" hydroxyl groups of said polyol
are terminated in forming the oligomer and "m" is greater than "n"; and

(c) irradiating the optical fiber at a dose level of from about 0.5 J/cm² to
about 1.0 J/cm²;

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wherein the coated optical fiber has a micro-bend attenuation as measured by the LLWM test of less than about 0.3 dB/m at a wavelength of 1310 nm, of less than about 0.35 dB/m at a wavelength of 1550 nm, and of less than about 0.55 dB/m at a wavelength of 1625 nm.

Cancel claim 55.

The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or suggest a coated optical fiber having a radiation cured coating wherein said coating comprises an oligomer formed from a reaction comprising a polyol having "m" hydroxyl functional groups, wherein "n" hydroxyl groups of said polyol are terminated in forming the oligomer and "m" is greater than "n".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill M. Gray whose telephone number is 571-272-1524. The examiner can normally be reached on M-F 10:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jill M. Gray
Examiner
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RENA DYE
SUPERVISORY PATENT EXAMINER

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10/14/04